



PATENT
Attorney Docket No. CUTLER-07776

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Neal R. Cutler

Serial No.: 10/695,064

Filed: 10/28/03

Entitled: **Compositions And Methods For The Co-Formulation
And Administration Of Tramadol And Propoxyphene**

Group No.: 1617

Examiner: Kim

**INFORMATION DISCLOSURE
STATEMENT TRANSMITTAL**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dated: November 22, 2004

By: 

Kelly J. Collins


Sir or Madam:

Enclosed please find an Information Disclosure Statement and Form PTO-1449, including copies of the references contained thereon, for filing in the U.S. Patent and Trademark Office.

A check for \$180.00 is also enclosed pursuant to 37 C.F.R. § 1.17(p) for filing this Information Disclosure Statement after three months as set forth in 37 C.F.R. § 1.97(c).

The Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. 08-1290. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Dated: November 22, 2004


Thomas W. Brown
Registration No. 50,002

11/29/2004 BABRAH1 00000069 10695064

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180.00 DP

MEDLEN & CARROLL, LLP
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San Francisco, California 94105
617/984.0616

- U.S. Patent No. 5,393,773 to Craig *et al*;
- U.S. Patent No. 5,554,639 to Craig *et al*;
- U.S. Patent No. 5,576,014 to Mizumoto *et al*;
- U.S. Patent No. 5,642,730 to Baran;
- U.S. Patent No. 5,801,161 to Merkus;
- U.S. Patent No. 5,837,292 to Dijkgraaf *et al*;
- U.S. Patent No. 5,864,037 to Chasis *et al*;
- U.S. Patent No. 5,869,479 to Kreutner *et al*;
- U.S. Patent No. 5,964,223 to Baran;
- U.S. Patent No. 6,024,981 to Khankari *et al*;
- U.S. Patent No. 6,079,413 Baran;
- U.S. Patent No. 6,190,591 to van Lengerich *et al*;
- U.S. Patent No. 6,200,614 B1 to Pather *et al*;
- Portenoy RK and Hagen NA, "Breakthrough pain: definition, prevalence and characteristics" Pain 1990;41:273-281;

This Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

Dated: November 22, 2004


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FORM PTO-1449
(Modified)U.S. Department of Commerce
Patent and Trademark Office

Attorney Docket No.: CUTLER-07776

Serial No.: 10/695,064

INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Use Several Sheets If Necessary)

Applicant: Neal R. Cutler

Filing Date: 10/28/03

Group Art Unit:

(37 CFR § 1.98(b))

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Serial / Patent Number	Issue Date	Applicant / Patentee	Class	Subclass	Filing Date
	1	4,389,393	06/21/83	Schor <i>et al.</i>	424	19	03/26/82
	2	4,552,891	11/12/85	Ho <i>et al.</i>	514	443	09/13/83
	3	4,940,588	07/10/90	Sparks <i>et al.</i>	424	490	03/17/88
	4	5,073,374	12/17/91	McCarty	424	435	11/30/88
	5	5,122,616	06/16/92	Malfer	548	546	09/22/89
	6	5,178,878	01/12/93	Wehling <i>et al.</i>	424	466	04/16/92
	7	5,244,668	09/14/93	Snipes	424	435	08/17/92
	8	5,393,773	02/28/95	Craig <i>et al.</i>	514	415	01/19/92
	9	5,554,639	09/10/96	Craig <i>et al.</i>	514	415	06/02/95
	10	5,576,014	11/19/96	Mizumoto <i>et al.</i>	424	435	02/01/95
	11	5,642,730	07/01/97	Baran	128	207.14	06/17/94
	12	5,801,161	09/01/98	Markus	514	52	05/13/94
	13	5,837,292	11/17/98	Dijkgraaf <i>et al.</i>	424	494	12/20/96
	14	5,864,037	01/26/99	Chasin <i>et al.</i>	544	118	06/06/96
	15	5,869,479	02/09/99	Kreutner <i>et al.</i>	514	212	08/14/97
	16	5,964,223	10/12/99	Baran	128	207.14	01/23/97
	17	6,024,981	02/15/00	Khankari <i>et al.</i>	424	464	04/09/98
	18	6,079,413	06/27/00	Baran	128	207.14	12/20/96
	19	6,190,591	02/20/01	van Lengerich	264	141	10/27/97
	20	6,200,614 B1	03/13/01	Pather <i>et al.</i>	424	466	06/08/99

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

		Document Number	Publication Date	Country / Patent Office	Class	Subclass	Translation	
							Yes	No
	21							
	22							
	23							
	24							
	25							

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)

	26	Portenoy RK and Hagen NA, "Breakthrough pain: definition, prevalence and characteristics" <i>Pain</i> 1990;41:273-281
	27	
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Examiner:

Date Considered:

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1489
(Modified)U.S. Department of Commerce
Patent and Trademark Office

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